

BEFORE THE
STATE BOARD OF PHARMACY
STATE OF MISSOURI

STATE BOARD OF PHARMACY,)	
)	
Petitioner,)	
)	
v.)	Case No. 2006-006518-F1
)	
DOUGLAS C. ALBERS, R.PH.,)	
)	
Respondent.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER OF DISCIPLINE**

This matter appears before the Missouri Board of Pharmacy pursuant to a Felony Conviction Complaint regarding Douglas C. Albers, R.Ph., Respondent.

Findings of Fact

1. The Board set this matter for hearing and served notice of the disciplinary hearing upon Albers.
2. Pursuant to notice and Section 621.110, RSMo, this Board held a hearing on April 30, 2008, at the Courtyard by Marriott, 3301 LeMone Industrial Boulevard, Columbia, Missouri, for the purpose of determining the appropriate disciplinary action against the pharmacist license of Albers. Albers did not appear in person or with counsel. The Board was represented by Assistant Attorney General Paul W. Felsch.
3. Board members that were present throughout the disciplinary hearing were President Gary Sobocinski, Elaina Wolzak, Pamela Marshall, Anita Parran, James Riddle, Barbara Bilek, and Melissa Graham. All members participated in the decision of the Board that is reflected in this Order.
4. The Missouri Board of Pharmacy ("Board") is an agency of the state of Missouri created and established pursuant to Section 338.110, RSMo 2004, for the purpose of executing and enforcing the provisions of Chapter 338, RSMo.

5. Albers was licensed by the Board, License No. 029838, which license was current and active at all times relevant hereto.

6. On or about October 18, 2006, Albers pled guilty to two class E felonies of knowingly selling a counterfeit drug in violation of 21 U.S.C. 331(i)(3) and 333(a)(2) and knowingly selling a misbranded drug in violation of 21 U.S.C. 331(a) and 333(a)(2). See Exhibits A and B and pages 7 and 8 of the transcript.

7. Pursuant to 338.065, RSMo, the Missouri Board of Pharmacy set this matter for hearing and served notice of a felony disciplinary hearing upon Respondent in a proper and timely fashion.

8. The Board finds that the crimes to which Albers was found guilty in a criminal case are offenses reasonably related to the qualifications, functions or duties of a pharmacist and that these felony offenses have an essential element of which is an act of violence or involves moral turpitude.

Conclusions of Law

9. This Board has jurisdiction over this proceeding pursuant to 338.065, RSMo.

10. Respondent's license is subject to discipline by this Board pursuant to 338.065, RSMo.

11. Upon examination of the evidence presented, the Missouri Board of Pharmacy concludes that Albers was found guilty in a criminal case to offenses reasonably related to the qualifications, functions or duties of a pharmacist and that this felony offense has an essential element of which is an act of violence or involves moral turpitude.

Disciplinary Order

THEREFORE, having considered all of the evidence before the Board, it is the ORDER of the Missouri Board of Pharmacy that the pharmacist license issued to Douglas C. Albers, numbered 029838, be REVOKED. Albers shall return all indicia of licensure, i.e., the original wall-hanging certificate, the computer generated 5" x 7" license, and the wallet card, to the Board office. Albers may not apply for reinstatement

of his license for seven (7) years after the date of this Order, as provided in Section 338.067, RSMo.

This Order shall be maintained by the Board of Pharmacy as an open and public record of the Board as provided in Chapters 338, 610, and 620, RSMo.

ENTERED THIS 28th DAY OF MAY, 2008

MISSOURI BOARD OF PHARMACY

(BOARD SEAL)



DEBRA C. RINGGENBERG, R.PH.
EXECUTIVE DIRECTOR